

## Message Text

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ACTION SMI-01

INFO OCT-01 EUR-12 ISO-00 ABF-01 FSE-00 OES-05 L-02 /022 W

----- 085460

R 241631Z MAR 75

FM AMEMBASSY BELGRADE

TO SECSTATE WASHDC 2335

INFO AMCONSUL ZAGREB

UNCLAS BELGRADE 1393

E.O. 11652: N/A

TAGS: OSCI, YO

SUBJ: SFCP/SMITHSONIAN - R/V PHYKOS

REF: (A) STATE 62112; (B) STATE 62474; (C) BELGRADE 0082;  
(D) BELGRADE 824; (E) BELGRADE 877

1. EMBASSY HAS TELEXED INKOBROD AS REQUESTED REF (A) PARA 2 EXCEPTING SUBPARA 2(C). STATEMENT OF INKOBROD CHARGES CLEARLY SET FORTH IN REF (C) AS 46,119 DOLLARS AS OF JAN 31, 1975. IF WE NOW ASK A SECOND TIME WE MAY PRECLUDE POSSIBILITY OF NEGOTIATING SUSPENSION OF CHARGES FOR MONTH OF FEBRUARY AS PROPOSED REF (D) PARA 2.

2. EMBASSY APPRECIATES LEGAL STATEMENTS REF (A) PARA 4 AND PRESUMES THAT SMITHSONIAN WILL PAY ANY UNFORESEEN COSTS WHICH MAY ARISE AFTER SALE IN SPITE OF EMBASSY'S BEST EFFORT TO AVOID SUCH COSTS.

3. PFEUFFER IRREVOCALB LETTER OF CREDIT ON BAYERISCHE VAREINSBANK, NURNBER FOR 49,000 DOLLARS RECEIVED BY JUGOBANKA BELGRADE MARCH 14. IT EXPIRES APRIL 15 SO THAT ALL DOCUMENTS REQUIRED FOR SALE SHOULD BE IN MAIL BY MARCH 28.

4. BY TELEX OF MARCH 21 PFEUFFER URGENTLY REQUESTS "DETAILS ABOUT NET AND GROSS TONNAGE" FOR INSURANCE CONTRACT AS REQUESTED REF (E) PARA 2. REQUEST THIS INFO BE SUPPLIED TO HIM BY SMITHSONIAN. EMBASSY SO INFORMING PFEUFFER BY TELEX.

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5. PFEUFFER HAS PAID 500 GERMAN MARKS TO UCOVIC AS RETAINER AND

REQUESTED PREPARATION DOCUMENTS OF SALE FOR PHYKOS WITH ALL EQUIPMENT BELONGING TO SHIP. HE ASKS CLAUSE IN CONTRACT REQUIRE FROM SMITHSONIAN COMPLETE SET OF PHYKOS CONSTRUCTION PLANS PLUS MANUALS FOR INSTALLED ENGINES AND GENERATORS WHICH HE SAYS ARE REQUIRED TO GET INSURANCE COMPANY TO CLASSIFY SHIP.

6. CHOICE BETWEEN INKOBROD AND PFEUFFER IS SMITHSONIAN DECISION. IN ADDITION TO CONSIDERATIONS SET FORTH REF (B) PARA 3, SMITHSONIAN SHOULD RECALL THAT INKOBROD PURCHASE MAY REQUIRE THEIR PAYMENT OF 26 PERCENT AD VALOREM IMPORT DUTY, A SIGNIFICANT SUM BY LOCAL STANDARDS. FURTHERMORE, INKOBROD ACTIONS TO DATE HAVE BEEN SLOW AND EMBASSY HAS NO IDEA OF TIME REQUIRED FOR INKOBROD TO OBTAIN GOY APPROVAL OF PURCHASE.

7. IF SALE CAN BE COMPLETED BY MID APRIL, TOTAL CHARGES FORSEEN BY EMBASSY ARE DOLLARS 46,119 PLUS 2,150 FOR MARCH PLUS 1,075 FOR HALF OF APRIL EQUALS 49,344 PROVIDED INKOBROD WAIVES FEBRUARY PAYMENT. PRICE QUOTED TO PFEUFFER WAS "APPROXIMATELY 49,000 DOLLARS. EMBASSY WOULD APPRECIATE KNOWING WHETHER

INKOBROD CHARGES DESCRIBED REF (C) PARA 3B, C AND D (TOTAL DOLLARS 5,270) ARE CONTRACTUAL OBLIGATIONS OR UNILATERAL INKOBROD CHARGES AND THUS SUBJECT TO NEGOTIATION.  
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